

REMARKS

Claims 1-8 have been examined. Claims 9-30 are withdrawn as being directed to a non-elected invention. The Examiner has indicated that claim 8 contains allowable subject matter.

I. Preliminary Matters

The Examiner has objected to the specification as not providing a statement describing the foreign priority claim. Applicant submits that such a statement is not required in the actual specification (see MPEP §201.14). Nevertheless, in order to expedite prosecution, Applicant hereby amends the specification to insert the requested information.

Also, Applicant has amended the specification for clarification as requested by the Examiner.

II. Rejection under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Accordingly, Applicant has amended the claims in a manner believed to overcome the rejection.

II. Rejection under 35 U.S.C. § 103(a) over U.S. Patent No. 5,904,631 to Morisawa et al. (“Morisawa”) in view of U.S., Patent No. 1,918,490 to Riley (“Riley”).

The Examiner has rejected claims 1, 4, 6 and 7 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morisawa in view of Riley.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites, “said second electric motor is disposed in a rearmost part with respect to said power splitting planetary gear, said first electric motor, and said transmission disposed along said axis in said casing member.”

The Examiner maintains that Morisawa discloses the above features. In particular, the Examiner maintains that motor MG1 discloses the claimed first electric motor and motor MG2 discloses the claimed second electric motor. Applicant submits, however, that the alleged second motor MG2 is not disposed in a rearmost part with respect to a power splitting planetary gear, the alleged first motor MG1 and a transmission. For example, Figure 1 of Morisawa discloses a hybrid driving unit having the first motor MG1, the second motor MG2, and the power splitting planetary gear 110, where the first electric motor MG1 is disposed at a rearmost part or position. At this point, the output shaft 108 is connected to the second motor MG2. Thus, contrary to the recitations of claim 1, the second motor MG2 of Morisawa is not disposed at a rearmost part.

In addition, a transmission shifting revolution of the second motor MG2 is not disclosed in Figure 1. The Examiner also fails to comment on the transmission or provide a reference numeral of Morisawa that corresponds to the claimed transmission. Likewise, in Figure 6 of

Morisawa, there is disclosure of a hybrid drive unit to which a motor MG4 connected to the output shaft 108 is disposed. There is, however, no disclosure regarding a transmission shifting revolution of the motor MG4. Thus, the disclosure of Morisawa is deficient in regard to this feature of claim 1.

On the other hand, the hybrid drive unit of the present invention has a first electric motor, a second electric motor, a transmission shifting and transmitting revolution of the second electric motor to the output shaft, and a power splitting planetary gear. The second electric motor is disposed at a rearmost part among the first electric motor, the power splitting planetary gear *and* the transmission. Applicant submits that Morisawa fails to teach or suggest such a configuration. In the claimed configuration, the second electric motor is disposed at a rearmost part among the first and second electric motors, which are both heavy devices, and are supported by a vehicle body through a mounting section. As a result, the configuration of claim 1 improves rigidity and support of the second electric motor and can reduce vibration transmitted to the vehicle body.

Since Riley fails to cure the deficient teachings of Morisawa, Applicant submits that claim 1 is patentable over the cited references.

B. Claims 4, 6 and 7

Since claims 4, 6 and 7 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

III. Rejection under 35 U.S.C. § 103(a) over Morisawa in view of Riley and U.S. Patent No. 6,022,287 to Klemen et al. ("Klemen").

The Examiner has rejected claims 2, 3 and 5 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morisawa in view of Riley and Klemen. Since, however, claims 2, 3 and 5 are dependent upon claim 1, and Klemen fails to cure the deficient teachings of Morisawa and Riley, at least in regard to claim 1, Applicant submits that claims 2, 3 and 5 are patentable at least by virtue of their dependency.

IV. Allowable Subject Matter

As set forth above, the Examiner has indicated that claim 8 contains allowable subject matter.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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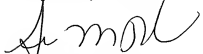
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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. M. Tulino', written over a horizontal line.

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